

UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

DATE: 9-28-73

FROM : R. R. FRANCK *RRK/ab*

SUBJECT: THE REASONER REPORT
HIGHLIGHTING THE FBI
ABC TELEVISION (CHANNEL 7)
6:30 P.M., 9-30-73

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As you are aware, the Reasoner Report is scheduled to present a program on the FBI on Sunday evening. In connection with this program, Mr. Michael O'Rourke, a retired Special Agent who is now Director of Corporate Security for ABC, New York City, telephonically contacted my office today to advise that he has learned that among those to appear on the program are Senator Robert C. Byrd of West Virginia; Bernard Conners, a former Special Agent who recently authored a book entitled, "Don't Embarrass the Bureau"; Thomas Emerson; and Norman Dorsen. DC

O'Rourke was unable to furnish any information concerning the comments of the aforementioned but based on the favorable relations we have had with Senator Byrd it certainly can be assumed that his comments will not be critical of the Bureau or of Mr. Kelley. *BU*

With respect to Conners, on 5-4-72 this individual sent a telegraphic communication to the President urging him to appoint a "blue ribbon" committee to study the FBI with a view toward restricting the Bureau's investigative activities in the interest of "accordance with the democratic principles of our society." Several days after this communication, Conners appeared on national television requesting the President to consider his plan. He was probably motivated largely by his desire to promote his book. EX-104

DC CONN
Thomas Emerson is undoubtedly identical with Thomas Irwin Emerson, a professor of law at Yale University since 1946. Emerson was the subject of a security type investigation dating back to the early 1940's when he was reported to us as a hidden member of the CP-USA. Although there has been no evidence of actual CP-USA membership on the part of

- GTQ:crf (7)
1 - Mr. Callahan
1 - Mr. Miller
1 - Mr. Franck
1 - Mr.
1 - Mr. Heim

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Memorandum to Mr. Callahan
Re: The Reasoner Report

this individual, he has been associated for many years with the National Lawyers Guild, a cited organization, and various CP-USA front organizations. He was active in the National Committee to Abolish the House Un-American Activities Committee, a coalition assisting in the defense of Black Panther Party members as well as the activities of groups opposed to the U. S. participation in the Vietnam war. Based on the foregoing, it can be presumed that he will be critical of the Bureau during his appearance.

DC
N.J.
Norman Dorsen, as of 9/71 was General Counsel for the American Civil Liberties Union. He has never been investigated by the Bureau but our files indicate that he has supported the aims of the National Emergency Civil Liberties Committee, a cited organization. This individual prepared a brief submitted before the U. S. Supreme Court requesting it to review the conviction of Robert Soblen, convicted in 1961 of conspiracy to commit espionage. In 3/70 he participated in a television debate with Abbott Hoffman, Jerry Rubin and Rennie Davis, notorious representatives of the New Left. It is noted Dorsen was a member of the Committee for Public Justice and participated in the conference on the FBI held at Princeton University on 10/29-30/71. Undoubtedly, Mr. Dorsen will be highly critical of the Bureau during his appearance.

This program will be monitored by a representative of the External Affairs Division.

RECOMMENDATION

For information.

1/11/72 *[Signature]*

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Callahan

DATE: 10/2/73

FROM : R. R. Franck *RRF*SUBJECT: THE REASONER REPORT
SEPTEMBER 30, 1973

A.B.C. Television

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Director Sec'y _____

"The Reasoner Report" shown in Washington 9/30/73 was entirely devoted to the FBI. Although we had been advised by the ABC producers that they were striving for a "balanced" view of the FBI, it seems obvious that they went into the show with preconceived notions and that the balance was tipped in favor of Bureau critics, at least in numbers.

The portions of the program in which we participated were excellent but it is apparent that the producers had so much material that they had difficulty in fitting into a one-half hour program a coherent analysis of the Bureau. The program was chopped up and would be somewhat difficult to follow for the average viewer.

Summary of Program

The program opened with remarks by Harry Reasoner commenting on the past reputation of the FBI, the death of Mr. Hoover, and alleging that the old image of the FBI was shattered. President Nixon was shown eulogizing Mr. Hoover and John Ehrlichman was shown alleging that the Administration would have been better off if Mr. Hoover had been retired early. Reasoner touched on Mr. Gray's tenure as Acting Director and his problems and pointed out that Mr. Kelley was faced with the job of restoring the integrity of the Bureau. Throughout the program parts of the interview of Mr. Kelley were interspersed often in response to criticism of other program participants.

To be fair to the producers, for the most part Mr. Kelley's comments were injected so that they responded to critics' comments, thus giving a positive Bureau viewpoint. The program could have been cut otherwise so that Mr. Kelley's comments were first to be topped by the critics' remarks. Senator Robert C. Byrd (D-W. Va.) was interviewed and he emphasized the need for Congressional oversight. (A letter dated 10/1/73

ENCLOSURE

1 - Mr. Franck
1 - Mr. Heim
1 - Mr. [redacted]
1 - Mr. [redacted]

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Memorandum to Mr. Callahan
Re: The Reasoner Report

DC was sent to Senator Byrd thanking him for his comments.) CONN DC Thomas Emerson of Yale and Norman Dorsen of New York University, described as long-time critics of the FBI, were given a considerable amount of time. They were not impressive figures in spite of their academic credentials. Their criticisms followed their normal line of decrying "political" surveillances by the FBI, inhibiting freedom of expression, and invading the rights of privacy, and alleging harassment. Dorsen claimed that organizations we have investigated very rarely were engaged in unlawful activities where the FBI might have a role and claimed 98 percent of our "surveillances" were of organizations acting lawfully. He seemed to draw this 98 percent figure out of the air. Certainly he has no knowledge of our investigations, but his comment went unchallenged.

Former Special Agent Bernard F. Connors, EOD 8/51, resigned 12/59, was interviewed. He is the author of the book "Don't Embarrass the Bureau" which was described as a best seller. The book has previously been reviewed by the Bureau. It has a complicated, unrealistic plot and is essentially an attack on the FBI. Connors held the book during the interview, thus gaining thousands of dollars of free publicity. Sales of the book can only be based on a wide publicity campaign given it since it is simply not a well written novel. Connors reiterated his prior line that it was essential for all Bureau employees not to embarrass the Bureau and he claimed that after the best people were recruited and hired they were submerged in the mainstream of Bureau thought and their initiative stifled.

In response to allegations made by these critics, Mr. Kelley gave strong answers, pointing out that our investigations were not political and also pointing out that he certainly hoped that FBI employees would not conduct themselves so as to embarrass the FBI.

The scenes at Quantico were excellent and the New Agents interviewed gave fine answers, limited to their reasons for entering the FBI. The coverage at Philadelphia was also exceptional, although rather short considering the fact that this crew spent 3 days shooting material in Philadelphia. The crew also spent 2 days in Butte but the portions concerning the Butte Office was limited to a view of a main street in Butte and a brief comment by SAC Robert W. Evans pointing out that persons presently coming to the Butte Office were coming at their preference.

Mr. Dorsen:

And I think you cannot really expect the Government itself to police an agency such as the FBI is or the CIA is, for that matter. You have to bring in independent public spirited citizens from the outside who will take an independent look at what is going on, in light of the basic principles of a Democratic Society.

Mr. Emerson:

The FBI must be an independent agency insofar as that goal can be attained so as to avoid the use or the misuse of the FBI by a politically oriented Attorney General under any Administration at some future time, thus making the FBI a political arm of the White House.

Mr. Reasoner:

You have two masters, the Attorney General and the President. How far could you resist improper pressure from either one of them?

Mr. Kelley:

Well, I presume there will come a point of stalemate in efforts to get something over or to resist something, in which case you can exercise the protest of leaving, resigning which of course is something that might itself have an impact. So, failing negotiating, failing to convince, this is the course that I would take.

Mr. Reasoner:

These are Agents in training at the New FBI Academy outside Washington. In the Hoover tradition, the training is rigorous and thorough, the emphasis is on discipline. If some of these Agents are different from those of Hoover's days, they sound the same.

1st Female Agt:

I think it's a privilege to work for the finest law enforcement agency in the United States and in the world and a privilege for a woman. I'm glad we had the opportunity.

2nd Female Agt:

I have a definite interest in law enforcement and in my opinion this is the top.

3rd Female Agt:

I was interested in law enforcement and I thought if I would be interested in this area the FBI is the best and I, since I have been here, I believe it is because the training is fantastic.

Mr. Reasoner:

To some extent Kelley seems willing to accept the changes forced on the Bureau by the changes in society.

Mr. Dorsen:

Well, there is no doubt that the FBI engaged in surveillance and infiltration of all kinds of lawful political groups. At one time they were, they had representatives in almost every black student group in the country and the problem, of course, is that if we live in a country where freedom of association is supposed to be prized, people can't go about their lawful political and social activities if there is an FBI man in the group or thought to be in the group. This was a very serious problem over the last half a dozen years.

Mr. Reasoner:

What about the rationalization that they have to do this so that they know what organizations who might engage in violence are up to.

Mr. Dorsen:

Well, if you've got an organization that in a very rare case that has engaged in unlawful acts well the FBI maybe has a role there but 98 percent of their surveillance was in organizations that had nothing to do with that at all.

Mr. Emerson:

And, of course, the logical implications of saying that because a group of minority people or a group dissidents may eventually in the end commit some kind of crime that therefore they can be subject to constant surveillance from the beginning of the time they organize. The logical implications of that is simply a police state.

Mr. Kelley:

I think that one of the hallmarks of the FBI has always been vigilance and there has been feeling generally that you no longer need to be particularly alert to the activities of certain groups. I think you have to, you don't have a sleeping menace, you have one which is perhaps a little more impotent now than it has been in the past but I would not say that we should ever relax but should keep our guard up and should be alert to any revival of activities.

Mr. Reasoner:

Is this kind of problem the result of the philosophy and character of J. Edgar Hoover or is it something that's built into the Bureau?

Mr. Dorsen:

Well, I think its part largely the former and largely the times. The fact that there is so many people in this country became paranoid about student groups, about so-called radicals. I think its possible to run an FBI. I hope Mr. Kelley will do it without engaging in this type of unlawful governmental activity. I don't believe it's built into the system.

Mr. Emerson: I would disagree somewhat with that in the sense I would say to a considerable extent it is built into a national police force. My guess is that it is now built into the Bureau and unless the new Director takes some very strong initiative and to eliminate it, it will go on as it has before.

Mr. Reasoner: In the closing years of Mr. Hoover's tenure some people felt that he was living with an outdated obsession about the cold war, and about communism and about subversion. Do you think he was, sir?

Mr. Kelley: No I, I had a great admiration for Mr. Hoover. I do think that the emphasis has changed in many ways, and I'm going to be the successor to Mr. Hoover. I'm not necessarily going to be guided by the traditions of the past as there are revealed needs for change and for readdressing ourselves to different problems, that is what we are going to do.

Mr. Reasoner: The first official inquiry into the Bureau is now under way. That's a sign of change. Nobody would have dared investigate the FBI of J. Edgar Hoover. And fundamental questions are being asked. Should the Bureau have a function of political intelligence? Should it be allowed to wiretap? Should it be taken out of the Justice Department and made into a separate agency? How much independence should its Director have? The list is long and the inquiry may take months. It's impossible to predict now what the final recommendations will be. What can be hoped for in the end are two things. That the Bureau will not again become a law unto itself, responsible only to the will and whim of its Director and that the Bureau will not again become the political instrument of any President or his men. What is certain is that the FBI of nostalgic memory will never be the same.
Good night.